

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**In re:**

**RADNOR HOLDINGS  
CORPORATION, *et al.*,**

**Debtors.**

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**THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS,**

**Appellant,**

**v.**

**TENNENBAUM CAPITAL PARTNERS,  
LLC, SPECIAL VALUE EXPANSION  
FUND LLC, SPECIAL VALUE  
OPPORTUNITIES LLC, AND JOSE E.  
FELICIANO**

**Appellees.**

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**§ Chapter 11**

**§ Case No. 06-10894-(PJW)  
§ Jointly Administered**

**§ Civil Action No. 06-784 (\*\*\*)**

**APPELLANT'S MOTION FOR ENTRY OF AN AGREED ORDER VOLUNTARILY  
DISMISSING APPEAL**

Appellant, the Official Committee of Unsecured Creditors of Radnor Holdings Corporation, *et al.* (the “Committee”), by and through its undersigned counsel, files this motion (the “Motion”) pursuant to Rule 8001(c)(2) of the Federal Rules of Bankruptcy Procedure, for entry of the agreed order submitted with this Motion voluntarily dismissing the above-captioned appeal with each side to bear its own fees and costs.

1. The Committee’s appeal from the bankruptcy court’s judgment in Adversary Proceeding 06-50909 is pending before this Court (the “Judgment Appeal”).

2. By this Motion, the Committee seeks to dismiss the Judgment Appeal. Tennenbaum Capital Partners, LLC, the appellee, and Radnor Holdings Corporation and its affiliated debtors and debtors in possession have agreed to this Motion and the form of order submitted with the Motion to dismiss the Judgment Appeal.

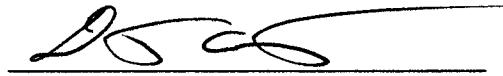
3. Rule 8001(c)(2) of the Federal Rules of Bankruptcy Procedure authorizes the Court to dismiss an appeal from a bankruptcy court order upon motion of the appellant. Rule 8001(c)(2) is derived from Rule 42(b) of the Federal Rules of Appellate Procedure, under which an appellate court is empowered to dismiss an appeal on motion of the appellant. See, e.g., American Auto Mfrs. Ass'n v. Commissioners, Mass. Dep't of Envtl. Prot., 31 F.3d 18, 22 (1st Cir. 1996); HCA Health Servs. of Va. v. Metropolitan Life Ins. Co., 957 F.2d 120, 123 (4th Cir. 1992).

WHEREFORE, the Committee requests that the Court (i) enter the agreed order submitted with the Motion voluntarily dismissing the above-captioned appeal with each side to bear its own fees and costs; and (ii) grant such other relief that the Court deems proper.

Dated: Wilmington, Delaware  
April 13, 2007

Respectfully submitted,

GREENBERG TRAURIG, LLP



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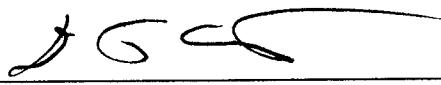
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Dated: April 13, 2007

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**Appellees.**

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**§ Case No. 06-10894-(PJW)**

**§ Jointly Administered**

**§ Civil Action No. 06-784 (\*\*\*)**

**AGREED ORDER DISMISSING APPELLANT'S APPEAL**

This matter having come before the Court on the motion of the Official Committee of Unsecured Creditors of Radnor Holdings Corporation, *et al.*, appellant (the “Committee”), for entry of this agreed order dismissing the above-captioned appeal (the “Motion”), after due deliberation and for good cause shown, it is hereby

**ORDERED, ADJUDGED AND DECREED THAT:**

1. The Committee’s Motion is GRANTED and the above-captioned appeal is hereby dismissed.
2. Each party will bear its own fees and costs on appeal.

Dated: April \_\_, 2007

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United States District Court Judge

The following parties hereby agree to the entry of this order on this 13<sup>th</sup> day of April, 2007:

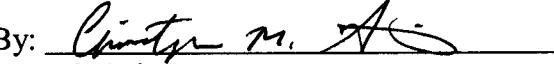
THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS OF RADNOR  
HOLDINGS CORPORATION, *ET AL.*

By: 

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TENNENBAUM CAPITAL PARTNERS,  
LLC, SPECIAL VALUE EXPANSION  
FUND LLC, SPECIAL VALUE  
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By:   
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